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Paper No. 11

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**OCT 1 0 2003**

**OFFICE OF PETITIONS**

In re Application of :  
Michael J. Payne et al :  
Application No. 09/965,230 :  
Filed: September 25, 2001 :  
Attorney Docket No. 042390.P12154 :

**ON PETITION**

This is a decision on the petition under 37 CFR 1.181(a) and on the renewed petition under 37 CFR 1.47(a), filed September 3, 2003, to withdraw the holding of abandonment and requesting reconsideration of the decision mailed December 11, 2002 in the above-identified application.

The petitions are **Granted**.

The above-identified application was held abandoned for failure to reply in a timely manner to the decision remailed on December 11, 2002 dismissing the petition to accord 37 CFR 1.47(a) status to the instant application. The decision set a period for reply of two (2) months. Extensions of time under the provisions of 37 CFR 1.136(a) were permitted. Therefore, a reply, with the appropriate extension of time fee, was due on or before July 11, 2003.

Petition states that the Office communication remailed on December 11, 2002 was not received by the petitioner and attests that a search of the file jacket and docket records indicates that the Office communication was not received. A review of the file indicates that the Office communication was mailed to the wrong address.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status.

Petitioner has shown that the non-signing inventors have refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this

The Office sincerely apologizes for the inconvenience caused petitioner in this matter.

This application is being returned to the Office of Initial Patent Examination for preexamination processing.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 306-5685.



Frances Hicks  
Lead Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy



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**OCT 10 2003**

**OFFICE OF PETITIONS**

In re Application of  
Payne; Coelho; and Hawash  
Application No. 09/965,230  
Filed: September 25, 2001  
For: COLOR AS A VISUAL CUE IN SPEECH-ENABLED APPLICATIONS

Dear Mr. Hawash:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Wan Laymon at (703) 306-5685. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1 (800) 972-6382 (outside the Washington D.C. area).

  
Frances Hicks

Lead Petitions Examiner  
Office of Petitions  
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for Patent Examination Policy

cc:  
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ROHAN COELHO  
14949 NW WEST UNION  
PORTLAND, OR 97229

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**OCT 10 2003**

**OFFICE OF PETITIONS**


In re Application of  
Payne; Coelho; and Hawash  
Application No. 09/965,230  
Filed: September 25, 2001  
For: COLOR AS A VISUAL CUE IN SPEECH-ENABLED APPLICATIONS

Dear Mr. Coelho:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join in the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

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